

Dr Richard Broughton
Health and Safety Executive
5SG Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

21 September 2011

Dear Dr Broughton,

Proposed replacement for the licensing regime for adventure activities established under the Activity Centres (Young Persons' Safety) Act 1995 in England

1. The National Council for Voluntary Youth Services (NCVYS) is the independent voice of the voluntary youth sector in England. A diverse network of national voluntary youth organisations and regional and local youth networks, NCVYS has been working since 1936 to raise the profile of youth work, share good practice and influence policy that has an impact on young people and the organisations that support them.
2. The NCVYS network reflects the diverse range of voluntary organisations working with young people at community, local, regional and national level. We cover around 80% of the voluntary youth sector in England and work with our members to build sustainable communities and services that help all young people achieve their potential. Most of our members offer opportunities to engage in challenging activities or develop creative talents. They also support young people to become active in their communities and offer opportunities for their voice to be heard. Some offer interventions to prevent or tackle specific issues such as homelessness or offending behaviour. Others offer counselling, advice, guidance and information. All contribute to young people's personal and social development; some also engage with spiritual development.
3. For more information on any element of this paper, please contact NCVYS's Deputy Chief Executive and Director of Policy and Communications, Faiza Chaudary or NCVYS's Policy Officer, Dom Weinberg on 020 7278 1041.



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NCVYS welcomes the proposed reduction in legislation and regulations around adventure activities which helps to bring UK into line with other countries' approach to health and safety. We believe that any proposed Code of Practice to replace the licensing regime for adventure activities established under the Activity Centres (Young Persons' Safety) Act 1995 should be based on high level principles of good risk management applicable to all activities. It should cover the many and varied activities, with differing methods of delivery and facilitation, that could be defined as 'adventurous' activities'.

NCVYS is concerned that a new Code of Practice with an increased scope of activities could place additional burdens on youth organisation. With 'adventurous activities' undefined in the consultation, the extent to which activities provided by voluntary youth organisations could fall under the code is currently unclear. If the Code does not propose proportionate requirements for organisations and their activities, it is likely that risk-averse organisations, unable to afford overly onerous requirements, will reduce their provision (and consequently their ability to make a contribution to the development of young people.) Even if the Code is not compulsory for all activity providers, organisations may feel that there is pressure from insurers, funders or users to be signed up.

Therefore it would be unhelpful for the Code to advocate specific methods or processes, or an inspection and accreditation scheme, since the needs and ability of each organisation will vary. For example, for small volunteer-led organisations the time and resources necessary to achieve an accreditation scheme based on inspection may well be entirely disproportionate given the types of activities they are providing.

The majority of activities that may fall under a new Code, but did not previously fall under the scope of the Adventure Activities Licensing Authority (AALA) are likely to be provided by voluntary and community youth organisations within the NCVYS membership. We are concerned that many of these 'providers' may be unaware of the potential scope of the new Code, and have not had time to be fully informed or consulted on the potential outcomes of this consultation. The majority of the costs of a new system may well be borne by those organisations not currently covered by AALA. The cost is not just financial: for small voluntary sector organisations the time and staffing resources needed to make sense of a new Code will be significant.

The Code should provide a range of options to those providing activities, all of which should support and promote young people participating in safe activities. It should support the use of existing risk-management tools, such as NCVYS's peer-accreditation Keeping It Safe,¹ rather than adding additional burdens to voluntary youth organisations.

Yours sincerely



Faiza Chaudary
Deputy Chief Executive and Director of Policy and Communications

¹ Keeping it Safe, NCVYS <http://www.ncvys.org.uk/index.php?alias=kis>